

# Notice of Allowability

Application No.

09/878,403

Examiner

William Bangachon

Applicant(s)

TURNER ET AL.

Art Unit

2635

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the telephonic interview on 8/5/05.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 12 June 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9/8/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Tipton Jennings on April 13, 2005.

3. An extension of time under 37 CFR 1.136(a) is required in order to make an Examiner's amendment, which places this application in condition for allowance. During a telephone conversation conducted on September 7, 2005, the Examiner requested an extension of time for 4 MONTH(S) and authorized the Director to charge Deposit Account No. 06-0916 the required fee of \$795.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure

consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

**The application has been amended as follows:**

1. A method of reading a plurality of transponders forming part of an electronic identification system also comprising a reader, the method comprising the steps of:
  - causing the reader to lock onto a first part of a digital sequence being transmitted by one of said transponders;
  - causing the reader to broadcast a mute signal immediately to mute all of said transponders not yet transmitting;
  - causing the reader to transmit a separate first command to cause said one transponder to transmit a second part of the digital sequence; and
  - receiving and reading said second part of the digital sequence at the reader.
2. A method as claimed in claim 1 wherein upon receipt and reading of said remainder of the sequence, the reader is caused to transmit a second command to cause said one transponder to switch to a sleep mode wherein said one transponder no longer transmits any part of the digital sequence and to unmute the muted transponders.

9. A method as claimed in claim 2 wherein the second command is transmitted within a second time window after said second part of the digital sequence has been read.
10. An electronic radio frequency identification system comprising:
  - reader;
  - a transponder population comprising a plurality of transponders to be read by the reader;
  - the reader comprising a controller, a transmitter for transmitting signals to the transponder population and a receiver for receiving response digital sequences from the transponder population;
  - the controller being operative to lock into a first part of a digital sequence being transmitted by one of said transponders;
  - the controller being operative to cause the transmitter to broadcast a mute signal immediately to mute all of said transponders not yet transmitting;
  - the controller further being operative to cause the transmitter to transmit a separate first command to cause said one of said transponders to transmit a second part of the digital sequence; and
  - the controller causing the receiver to receive and read said second part of the digital sequence.

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15. A system as claimed in claim 10 wherein the second command is broadcast during a second time window after said remainder has been read by the reader.
16. A reader for an electronic radio frequency identification system comprising:
  - a controller; a transmitter for transmitting signals to a transponder population comprising a plurality of transponders; and a receiver for receiving response signals from the transponder population;
  - the controller being operative to lock into a first part of a digital sequence being transmitted by one of said transponders;
  - the controller being operative to cause the transmitter to broadcast a mute signal immediately to mute all of said transponders not yet transmitting;
  - the controller further being operative to cause the transmitter to transmit a separate first command to cause said one of said transponders to transmit a second part of the digital sequence; and
  - the controller causing the receiver to receive and read said second part of the digital sequence.
17. A transponder for an electronic radio frequency identification system, the transponder comprising:
  - a modulator for modulating a carrier with response signals;
  - a demodulator for demodulating command signals; and
  - a controller for the modulator and demodulator;

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- the controller being sensitive to a mute command received from a reader and responsive thereto by muting the transponder, and if the mute command is not received, to cause the modulator to modulate the carrier with a first part only of a digital sequence;
  - the controller further being sensitive to a separate first command signal; and
  - the controller also being responsive to said first command signal by causing the modulator to modulate the carrier with a second part of the digital sequence.
18. A method of reading a plurality of transponders forming part of an electronic identification system also comprising a reader, the method comprising the steps of:
- causing the reader to lock onto a first part of a digital sequence being transmitted by one of said transponders;
  - while said one transponder is still transmitting said first part, causing the reader to broadcast a mute signal immediately to mute all of said transponders not yet transmitting;
  - causing the reader to transmit a separate first command to cause said one transponder to transmit a second part of the digital sequence; and
  - receiving and reading said second part of the digital sequence at the reader.

19. An electronic radio frequency identification system comprising:
- a reader;
  - a transponder population comprising a plurality of transponders to be read by the reader;
  - the reader comprising a controller, a transmitter for transmitting signals to the transponder population and a receiver for receiving response digital sequences from the transponder population;
  - the controller being operative to lock onto a first part of a digital sequence being transmitted by one of said transponders;
  - the controller being operative while said one transponder is still transmitting said first part, to cause the transmitter to broadcast a mute signal immediately to mute all of said transponders not yet transmitting;
  - the controller further being operative to cause the transmitter to transmit a separate first command to cause said one of said transponders to transmit a second part of the digital sequence; and
  - the controller causing the receiver to receive and read said second part of the digital sequence.
20. A reader for an electronic radio frequency identification system comprising;

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- a controller; a transmitter for transmitting signals to a transponder population comprising a plurality of transponders; and a receiver for receiving response signals from the transponder population;
- the controller being operative to lock onto a first part of a digital sequence being transmitted by one of said transponders;
- the controller being operative while said one transponder is still transmitting said first part to cause the transmitter to broadcast a mute signal immediately to mute all of said transponders not yet transmitting;
- the controller further being operative to cause the transmitter to transmit a separate first command to cause said one of said transponders to transmit a second part of the digital sequence; and
- the controller causing the receiver to receive and read said second part of the digital sequence.

***Claim Rejections - 35 USC § 112***

4. The rejection of claims 1-20 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, has been withdrawn.

***Claim Rejections - 35 USC § 102***

5. The rejection of claims 1-17 under 35 U.S.C. 102(b) as being anticipated by US 5,686,902 (Reis et al) has been withdrawn.



***Claim Rejections - 35 USC § 103***

6. The rejection of claims 18-20 under 35 U.S.C. 103(a) as being unpatentable over USP 5,686,902 (Reis et al) in view of USP 6,661,336 (Atkins et al) has been withdrawn.

***Allowable Subject Matter***

7. Claims 1-20 are allowed.
8. The following is an examiner's statement of reasons for allowance:

With regards to independent claims 1, 10, 16-20, Reis et al and/or Atkins et al do not disclose **“a reader/controller being operative to lock onto a first part of a digital sequence being transmitted by one of a plurality of transponders, and while said one transponder is still transmitting said first part, the reader/controller broadcasts a mute signal immediately to mute all of said transponders not yet transmitting, then the one transponder is further instructed by the reader/controller in a separate first command to transmit a second part of the digital sequence”**.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Office Contact Information***

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to William Bangachon whose telephone number is **(571)-272-3065**. The Examiner can normally be reached on 4/4/10.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Michael Horabik can be reached on **(571)-272-3068**. The fax phone numbers for the organization where this application or proceeding is assigned is **571-273-8300** for regular and After Final formal communications. The Examiner's fax number is **(571)-273-3065** for informal communications.

Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

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Examiner  
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September 7, 2005

MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
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